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FM AMEMBASSY LJUBLJANA

TO RUEHC/SECSTATE WASHDC PRIORITY 7457

INFO RUEHVB/AMEMBASSY ZAGREB PRIORITY 2412

RHEHNSC/NSC WASHDC PRIORITY

RUEHZN/EUROPEAN POLITICAL COLLECTIVE

RUEKJCS/JOINT STAFF WASHDC

RUEKJCS/SECDEF WASHDC

RUEAIIA/CIA WASHDC

RHMFIUU/USEUCOM VAIHINGEN GE

C O N F I D E N T I A L LJUBLJANA 000259

SIPDIS

DEPT FOR EUR/CE AND EUR/SCE

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TAGS: PREL FUN HR SI

SUBJECT: SLOVENIA-CROATIA: PRESIDENT SEES WINDOW OF OPPORTUNITY, LOOKS TO CONTINUED U.S. ENGAGEMENT

REF: A. STATE 80700

1B. LJUBLJANA 231

1C. ZAGREB 480

1D. STATE 84942

Classified By: CDA Brad Freden, reasons 1.4(b) and (d).

11. (C) SUMMARY. According to his advisors, President Danilo Tuerk is deeply interested in finding a solution to the ongoing border dispute with Croatia that would allow Croatia's EU accession to proceed and would be politically salable in Slovenia. He sees the proposal put forth by EU Enlargement Commissioner Rehn in mid June as meeting both conditions, and looks for continued U.S. engagement in support of an early solution to the dispute. Tuerk reportedly believes relations between Slovenia and Croatia have thawed sufficiently in recent weeks to present a window of opportunity. While not part of the government, the President's role in selling any agreement to the Slovenian public and parliament could be decisive. Tuerk's advisors also reiterated FM Zbogar's request for a meeting between the Slovenian President and Vice President Biden when Tuerk travels to UNGA in the second half of September. END SUMMARY.

12. (C) CDA met August 19 with Tuerk's Foreign Policy advisor, Ambassador Dusan Snoj, at the latter's request. Also present was Tuerk's Legal Advisor, Erik Kersevan. Snoj asked for the U.S. position on the June 12 Rehn proposal. CDA responded with ref A points, adding in response to Snoj's follow-up question that we see the June Rehn proposal or something similar as a good basis for resolving the dispute. The real test, however, is whether the two sides can accept the proposal. Snoj agreed, saying he was confident that the June proposal could pass the test of parliamentary and public approval in Slovenia. The President, he added, would support the government in its efforts to ensure ratification. In response to CDA's questioning, he said it was the substance of the Rehn proposal that mattered, not the name; if Croatia insisted on calling it something else, that should not matter.

13. (C) CDA also pressed the question of whether the current Rehn proposal could be seen as predetermining the outcome of the maritime border in Slovenia's favor. Kersevan, the Legal Advisor, insisted that it did not. He agreed hypothetically to the insertion of language explicitly stating that nothing in the terms of reference could be seen as predetermining or foreclosing the possibility of a Slovenian maritime border with international waters. It was Croatia, he said, that wanted to alter the so-called "junction" clause so as to foreclose that possibility. Snoj asked that the U.S. try to convince Croatia that the current proposal -- whatever the

two sides decide to call it -- "is a good basis for solving the border dispute and does not predetermine the outcome."

¶14. (C) Finally, CDA asked whether Slovenia could be counted on to ratify Croatia's accession treaty if the arbitration panel ruled against Slovenia. Both men were adamant that arbitration must be binding, and that Slovenia could be counted on to implement the results. "Slovenians," Snoj said, "are legalistic people; once the two sides agree to arbitration, it will become a legal rather than a political issue." He insisted that public opinion currently favored solving the border issue without much regard as to how. The thaw in relations since former PM Sanader's departure from the Croatian political scene contributed to this feeling among the Slovenian public. "The general climate is very temperate," Snoj averred, pointing to the meeting between the two Prime Ministers on July 31 and the August 10 statement by Croatian Tourism Minister Damir Bajs that credited Slovenians with saving Croatia's summer tourist season (sic).

¶15. (C) COMMENT: Though not part of the formal policy-making process, the widely-respected President will be a major factor in selling any agreement to the public. Tuerk's views, as expressed by Snoj and Kersevan, are also an indication that the political tectonics of this issue may be shifting in the right direction. Acting PDAS Stu Jones' travel to Slovenia August 30-31 and subsequent stop in Croatia will, we hope, provide another opportunity to gauge the depth of both sides' commitment.

FREDEN